

NOV 0 2000

FEDERAL ELECTION COMMISSION

999 E Street, N.W.
Washington, D.C. 20463

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COMMISSION
SECRETARIAT

2000 NOV -6 P 4: 22

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

RAD REFERRAL: 00NF-04
DATE ACTIVATED: 8/14/2000

EXPIRATION OF STATUTE OF
LIMITATIONS: January 31, 2005
STAFF MEMBERS: Dawn Odrowski
Deborah L. Rice

SOURCE: INTERNALLY GENERATED

RESPONDENTS: New Jersey State Laborers' PAC and Robert S. Garrison, as treasurer

RELEVANT STATUTES: 2 U.S.C. § 434(a)(4)(A)(iv)
2 U.S.C. § 433(c)

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

On July 18, 2000, the Reports Analysis Division ("RAD") referred the New Jersey State Laborers' Political Action Committee ("the Committee") and Robert S. Garrison, as treasurer ("Respondents"), to the Office of the General Counsel based on the Committee's failure to timely file the 1999 Year End Report covering the period of July 1, 1999 through December 31, 1999.

RAD's referral also reflects that the Committee did not timely file an amended Statement of Organization to report a change in treasurers. The Committee acknowledged in a February, 2000, phone call to RAD that Robert Garrison had been appointed as its new treasurer after its long-time former treasurer, Frank Sorge, died. In fact, according to an obituary in the

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21-04-488

Newark newspaper, The Star-Ledger, Mr. Sorge died on August 28, 1999. The Committee did not file a written notification of its treasurer change until April 3, 2000, when it filed the 1999 Year End Report.

II. FACTUAL AND LEGAL ANALYSIS

Based on the Factual and Legal Analysis, this Office recommends that the Commission find reason to believe the Committee violated 2 U.S.C. §§ 434(a)(4)(A)(iv) and 433(c). See Attachment 1.

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

21-04-403-4899

IV. RECOMMENDATIONS

1. Open a MUR.

21.04.403.4900

2. Find reason to believe New Jersey State Laborers' Political Action Committee and Robert S. Garrison, as treasurer, violated 2 U.S.C. §§ 434(a)(4)(A)(iv) and 433(c), and enter into conciliation prior to a finding of probable cause to believe.

3. Approve the attached Factual and Legal Analysis and conciliation agreement, and the appropriate letter.

Lawrence M. Noble
General Counsel

Date

11/3/00

BY:


Lois G. Lerner
Associate General Counsel

Attachments:

1. Factual and Legal Analysis
2. Proposed Conciliation Agreement

1064-304-40-12



FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel *HCS*

DATE: November 6, 2000

SUBJECT: 00NF-04-First General Counsel's Report

The attached is submitted as an Agenda document for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

SENSITIVE

☒

NON-SENSITIVE

☐

72 Hour TALLY VOTE ☒

24 Hour TALLY VOTE ☐

24 Hour NO OBJECTION ☐

INFORMATION ☐

DISTRIBUTION

COMPLIANCE

☒

Open/Closed Letters ☐

MUR ☐

DSP ☐

STATUS SHEETS ☐

Enforcement ☐

Litigation ☐

PFESP ☐

RATING SHEETS ☐

AUDIT MATTERS ☐

LITIGATION ☐

ADVISORY OPINIONS ☐

REGULATIONS ☐

OTHER ☐

21-04-403-4902